

## DECLARATION AND POWER OF ATTORNEY

UNITED STATES OF AMERICA

COPY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below my name.

I verify believe I am/w are the original, first and sole/joint inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## Process and Diasteromeric Salts Useful for the Optical Resolution of Racemic alpha-[4-(1,1-Dimethylethyl)Phenyl]-4-(Hydroxydiphenylmethyl-1-Piperidinebutanol and Derivative Compounds

and the specification of which  is attached hereto (Attorney Docket No. )  
(check one)  entered national phase in the U.S. on November 13, 1996 as U.S. Application

Number 08/737,131

and was amended on (if applicable).

 was described and claimed in PCT Int'l Application Number filed on  
and as amended under PCT Article 19 on (if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56.

 I hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below. I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Foreign Priority: Number \_\_\_\_\_ Country \_\_\_\_\_ Day/Month/Year Filed \_\_\_\_\_

Prior Foreign Appln(s): Number \_\_\_\_\_ Country \_\_\_\_\_ Day/Month/Year Filed \_\_\_\_\_

 I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States Provisional application(s) listed below:

Number \_\_\_\_\_ Filing Date \_\_\_\_\_

x I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

08/242,919 May 16, 1994 Abandoned  
Application Serial No. Filing Date Status (Patented, Pending)

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, whose addresses are all: Hoechst Marion Roussel, Inc., 2110 East Galbraith Road, P. O. Box 156300, Cincinnati, Ohio 45215-6300.

Address all correspondence and telephone calls to the first named.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States code §1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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